

going to recount every single thing that I said, but I will point out that immediately after that speech, several Republicans asked me to apologize. Well, I would like to apologize. I would like to apologize to the dead. And here is why. According to this study, "Health Insurance and Mortality in U.S. Adults," which was published 2 weeks ago, 44,789 Americans die every year because they have no health insurance. That's right, 44,789 Americans die every year according to this Harvard study called Health Insurance and Mortality in U.S. Adults. You can see it by going to our Web site, grayson.house.gov.

That is more than 10 times the number of Americans who have died in the war in Iraq. It's more than ten times the number of Americans who died in 9/11. But that is just once. This is every single year. That's right, every single year. Take a look at this. Read it and weep. And I mean that. Read it and weep because of all the Americans who are dying because they don't have health insurance.

Now I think we should do something about that. And the Democratic health care plan does do something about that. It makes health care affordable to those who can't afford insurance, and it saves these people's lives. Let's remember that we should care about people even after they are born. So I call upon the Democratic Members of the House, I call upon the Republican Members of the House, and I call upon all of us to do our jobs for the sake of America, for the sake of those dying people and their families. I apologize to the dead and their families that we haven't voted sooner to end this holocaust in America.

VOTING RIGHTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. WOLF) is recognized for 5 minutes.

Mr. WOLF. Madam Speaker, I have now written Attorney General Eric Holder on four occasions asking for an explanation of the dismissal of an important voter intimidation case, *U.S. v. New Black Panther Party*. To date, the answers provided are scant and, in at least one important regard, factually inaccurate.

In 1981, I was the only member, Republican or Democrat, of the Virginia delegation in the House to vote for the Voting Rights Act and was harshly criticized by the editorial page of *The Richmond Times Dispatch*. And when I supported the act's reauthorization in 2006, I was again criticized by editorial pages. My commitment to voting rights is unquestioned. It is imperative that we protect all Americans' right to vote. This is a sacrosanct and inalienable right of any democracy.

This New Black Panther Party case was brought in January by career attorneys in the Department of Justice's Civil Rights Division against the party

and several of its members for deploying uniformed men to a polling station in Philadelphia on Election Day last November to harass and intimidate voters, one of whom brandished a nightstick to voters. The public, and every Member, if they care, can view the video of the incident as well as other examples of the party's intimidation in a clip from the National Geographic Channel documentary entitled "Coming to a Polling Place Near You" posted on the Web. And it can be seen at www.electionjournal.org.

One of the witnesses of the Election Day incident, Bartle Bull, a veteran civil rights activist who served as Bobby Kennedy's New York campaign manager in 1968, has publicly called this "the most blatant form of voter intimidation" he has ever seen. He also reminded us that "Martin Luther King did not die to have people in jackboots with billy clubs block the doors of polling places, and neither did Robert Kennedy. It's an absolute disgrace."

In July, *The Washington Times* reported that improper political influence by Associate Attorney General Thomas Perrelli led to the dismissal of the case, a politicizing of career employees.

This inexplicable dismissal came over the objections of the career attorneys on the trial team as well as the department's own appeal office, which advised that the complaint was "sufficient to support the injunctions" sought by the career lawyers, and that the "government's predominant interest is preventing intimidation, threats and coercion against voters."

Despite this guidance urging that the department pursue a judgment in this case, it was dismissed in May over the career attorneys' objections. However, this unjustified dismissal has not gone unnoticed. I have worked with the Judiciary Committee Ranking Member LAMAR SMITH to demand answers from Attorney General Holder.

I am pleased that the U.S. Commission on Civil Rights has also taken note of this case. The Commission has an important statutory responsibility to "investigate voting rights deprivation and make appraisals of Federal policies to enforce Federal voting rights laws."

Congress instilled this independent oversight responsibility of the Commission in statute, and it says: "All Federal agents shall fully cooperate with the Commission to the end that it may effectively carry out its functions and duties."

The Commission wrote to Attorney General Holder on June 16, June 22 and August 10 requesting answers on the dismissal of this case. It also voted at its September meeting to make its review of this case the primary focus of its 2009 independent report.

Earlier today, the Commission sent a fourth letter to Attorney General Eric Holder, which I submit for the RECORD, reiterating its request for information and asking him to respond no later

than October 14 or it will proceed with an investigation using its statutory authorities.

I applaud the Commission. I call on Attorney General Holder to answer the questions posed in my letters dated June 8, July 17, July 22 and July 31, as well as comply with the Commission's request for information so it may complete its report. I also urge the Attorney General to allow Members of Congress to meet with the career attorneys in the trial team and appeal the body so that they may answer legitimate questions.

Again, if Members of Congress want to see the case that Eric Holder has dropped, just go to www.electionjournal.org. It's the National Geographic channel. And you will see Eric Holder has to start answering the letters that the Civil Rights Commission sends and Members have sent.

Finally, the trial team should be allowed to bring the case again—per the guidance I obtained from the Congressional Research Service's American Law Division in its July 30 memo—to allow our nation's justice system to work as it was intended: impartially and without bias.

U.S. COMMISSION ON CIVIL RIGHTS,

Washington, DC, September 30, 2009.

Hon. ERIC H. HOLDER, JR.,

Attorney General, U.S. Department of Justice, Washington, DC.

Re: U.S. Commission on Civil Rights Review and Report on the Implications of Enforcement Actions in *United States v. New Black Panther Party for Self-Defense*, Civ. No. 09-0065 SD (E.D. Pa.) (NBPP case)

DEAR ATTORNEY GENERAL HOLDER: The Commission requests that you instruct Department officials to fully cooperate, as 42 U.S.C. 1975b(e) requires, with our overdue information requests in the above-referenced matter. To that end, we also ask you to identify an individual who will exercise the substantive authority to coordinate the Department's responses to our current and future requests.

Pursuant to formal proceedings, the Commission initiated an inquiry into the implications of the Department's enforcement actions in the NBPP case as reflected in our letters to DOJ of June 16 and 22. We received a largely non-responsive letter from Portia Roberson in late July and none of the documents we requested. On August 7, the Commission voted 6-0, with two members abstaining, to expand its investigation by sending a follow-up letter to the Department. On August 10, the Commission addressed its letter to you, explaining our need for the information. For example, we stressed our need for information on previous voter intimidation investigations so that we could determine whether the Department's action in the NBPP case constitutes a change in policy and, if so, what the implications of that change might be.

At our most recent meeting on September 11, 2009, the Commission voted to make its review of the implications of the NBPP matter the subject of its annual enforcement report. The Commission was aware that the Department's Office of Professional Responsibility (OPR) had initiated an inquiry into some aspects of the NBPP case to determine whether further review is warranted. Although a letter from Ms. Roberson of September 9 expresses the Department's desire to delay any response to the Commission until the OPR investigation is complete, you

may rest assured that the Commission will be sensitive to OPR's internal ethics review as we move forward with our own inquiry. As the discussion at our recent meeting indicates, the Commission will work to accommodate any legitimate concerns the Department may have regarding specific requests for information once the Department begins its production.

The Commission has a special statutory responsibility to investigate voting rights deprivations and make appraisals of federal policies to enforce federal voting rights laws. The Commission must form an independent judgment regarding the merits of the NBPP enforcement actions (regardless of how the decisions were made) and the potential impact on future voter-intimidation enforcement by the Department. Accordingly, Congress has provided, in a provision with no statutory exceptions, that, "All Federal agencies shall fully cooperate with the Commission to the end that it may effectively carry out its functions and duties." 42 U.S.C. § 1975b(e).

It is important to note that many aspects of the Commission's inquiry have no connection with the matters subject to OPR's jurisdiction. As set forth in our August 10 letter, the Commission will seek to determine:

- 1) the facts and the Department's actions regarding prior voting intimidation investigations;
- 2) the underlying conduct in Philadelphia giving rise to the NBPP case;
- 3) whether the decision in the NBPP case is consistent with departmental policy or practice in prior cases or amounts to a change in policy or practice;
- 4) the extent to which current policy or practice as reflected in the NBPP case may encourage voter intimidation; and
- 5) whether that policy or practice is consistent with proper enforcement of section 11(b) of the Voting Rights Act.

The Commission may also seek to determine whether any decisions in the case were induced or affected by improper influences. Thus, there may be some areas of potential overlap with OPR's internal review, including an examination of the decision-making process in the case. With regard to these questions, if there are concerns as to the timing or content of specific discovery requests, the Commission will work with the Department to resolve them in a prompt and satisfactory manner. In addition to my personal availability to speak with your representatives, the Commission has appointed a subcommittee of commissioners to focus on any discovery issue that might arise in our investigation.

Accordingly, please identify the individual with substantive responsibility for the production of documents, scheduling of interviews and any possible depositions. If you have not done so by October 14th, however, it will be necessary for us to propound our interrogatories and interview requests directly on the affected Department personnel.

Thank you in advance for your cooperation and prompt reply to these requests.

Sincerely,

GERALD A. REYNOLDS,
Chairman.

The SPEAKER pro tempore (Mr. MINNICK). Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

(Mr. PENCE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DEFUNDING ACORN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANKS of Arizona. Mr. Speaker, recently this body moved to cut off all funding, all Federal funding, from the Association of Community Organizations for Reform Now, or ACORN.

By now we have all seen reports of several recent videos revealing ACORN employees coaching two young individuals on how to obtain government-subsidized housing to set up an underground prostitution house with underage girls brought into this country illegally.

But this is only the beginning of ACORN's criminal activities, Mr. Speaker. ACORN is under investigation in at least 14 States for voter registration fraud. And ACORN workers have consistently employed criminal tactics, including establishing an illegal quota system and illegally compensating canvassers. ACORN has repeatedly reported false information to the IRS and to the Department of Labor. And to cap it off, Mr. Speaker, ACORN and its affiliates have received more than \$53 million in Federal funds from 1994 to 2008 and were eligible for up to \$8.5 billion more from the economic stimulus bill and the 2010 Federal budget.

Mr. Speaker, I believe one of the most overlooked and astounding trophies in ACORN's criminal hall of fame is its role in fighting for policies that led to the mortgage crisis and ultimately catalyzed our current economic recession. ACORN fought vigorously for regulatory reform of the Community Reinvestment Act, a 1977 bill that drastically weakened mortgage lending standards. The result of the new regulations ACORN lobbied for was that banks were no longer rated because they made good loans or their standard of equitable lending, but rather, they were rated based on the number of loans they made, regardless of the ability of the borrower to pay back the loan or to qualify for a loan in the first place.

Banks were hit with large fines if they refused to dole out these toxic loans, the majority of which they knew would not be repaid. And if they still dared resist the government's mandate, ACORN would publicly picket them or threaten to hit these banks with lawsuits to force them to comply.

Mr. Speaker, although the mainstream media has been largely silent on the ties between ACORN and President Obama, it was actually during this time in the early part of President Obama's career when he was working with ACORN that President Obama was part of the lawsuit to force Citibank to abandon its time-tested lending standards and disperse millions and millions of dollars in high-risk loans. Now this isn't speculation, Mr. Speaker. His name is listed on the records of the lawsuit. President Obama played a sig-

nificant role in helping to shape the mortgage debacle that caused America's recent and ongoing economic crisis.

The result of the lawsuits like the one filed by Mr. Obama and ACORN has been that millions of dollars in toxic loans were made as a result of ACORN and its subsidiaries using the CRA regulations to bludgeon America's financial institutions into making loans they never should have and otherwise never would have made. As we all know now, those toxic loans were packaged and resold on Wall Street, and the entire system began to crumble.

If those original loans, Mr. Speaker, that were sold to Wall Street had been made under the traditional, financially sound practices based on income, down payments and credit histories, rather than the politically correct and financially fatal criteria that Barack Obama sued to achieve, the entire financial meltdown might have been avoided.

But how many Americans know that, Mr. Speaker? How many Americans are aware of the role that ACORN and one of their lawyers and close allies by the name of Barack Obama played in creating the housing and financial crisis?

Mr. Speaker, the ironic reality now is that President Barack Obama is put in the schizophrenic position of signing a bill to defund the very organization that helped to launch his career and ultimately helped get him elected. And the silence from the Obama administration on the ACORN issue has been unbelievable, Mr. Speaker.

The Obama administration and liberal Democrats in Congress now have a choice. They can take a sincere stand against corruption by launching investigations into ACORN and work with Republicans to pass the Defund ACORN Act to stop all Federal funding for ACORN, or they can throw their supposed commitment to transparency and accountability out the window for good.

Mr. Speaker, let us hope that they will choose to stand against allowing ACORN or any other corrupt organization to receive one more dime of taxpayer dollars now or ever again.

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JOBS, JOBS, JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, well, Washington, D.C., is focused on a lot of things these days. The debate over health care continues outside of committee hearings, and we hear news reports that health care reform is being rewritten in the back hallways of this building somewhere.

We also heard today that leading Members of the Senate on the Democratic Party introduced a national energy tax, the so-called cap-and-trade legislation, that will raise the cost of